

REMARKS

Applicant notes with appreciation that, in the Final Office Action of March 28, 2008, claims 16 and 17 were allowed and claims 6, 7 and 11 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, claims 1-5, 9, 10, 12, 13 and 15 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 7,142,699 B2 (hereinafter “Reisman et al.”). In addition, claims 8 and 14 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Reisman et al. or Reisman et al. in view of U.S. Patent No. 5,926,555 (hereinafter “Ort et al.”). Furthermore, claim 1 was rejected on the ground of non-statutory obviousness-type double patenting as allegedly being unpatentable over claim 1 of co-pending Application No. 10/541,910 (U.S. Patent Application Publication No. 2006/0072794 A1).

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In response, Applicant respectfully asserts that the independent claim 1 is not obvious in view of the cited reference of Reisman et al., as explained below. In particular, the Office Action has misinterpreted the description in Reisman et al. In view of the claim amendments and the following remarks, Applicant respectfully requests that the pending claims 1-15 be allowed in addition to the allowed claims 16 and 17.

25 With respect to the “provisional” obviousness-type double patenting rejection of claim 1, Applicant notes herein that this rejection will be addressed at a later time, assuming that this rejection is still applicable.

I. Patentability of Independent Claim 1

The current independent claim 1 includes the limitation of “*the areas of the image that are determined are each filtered exclusively with a single Gabor filter adapted to the given direction,*” which is not disclosed or suggested in the cited reference of Reisman et al. Thus, Applicant respectfully asserts that the independent claim 1 is not obvious in view of the cited reference of Reisman et al., and requests that the independent claim 1 be allowed.

Since the rejections of claims 1-5, 9, 10, 12, 13 and 15 have been changed from Section 102(e) rejections to Section 103(a) rejections, Applicant assumes that the cited reference of Reisman et al. fails to disclose the limitation of “*the areas of the image that are determined are each filtered exclusively with a single Gabor filter adapted to the given direction,*” as asserted in the previous Office Action response.

The Office Action states on page 2 that the cited reference of Reisman et al. “teaches using 8 Gabor filters, however, each Gabor filter is used to segment the image into 8 different directions (col. 6, lines 39-51) and (col. 8, lines 7-10).”

10 However, each of the eight Gabor filters described in Reisman et al. is not used to “segment” the image. As stated in column 6, lines 39-40, “[o]nce the enhanced image is segmented, the image is filtered using eight (8) Gabor filters (step 508).” Thus, in Reisman et al., the image is first segmented, and then the eight Gabor filters are applied to the image to produce eight (8) filtered images. This is support by a

15 statement in Reisman et al., in column 11, lines 16-17, which states that “[t]he standard deviation map, $S=S_0$, comprises 8 images corresponding to the 8 filtered images.” Thus, in Reisman et al., each area of a segmented and enhanced image is filtered with all eight Gabor filters. Consequently, the cited reference of Reisman et al. does not disclose each area of an image being filtered exclusively with a single

20 Gabor filter adapted to a given direction. Thus, the cited reference of Reisman et al. does not disclose the limitation of “*the areas of the image that are determined are each filtered exclusively with a single Gabor filter adapted to the given direction,*” as recited in the independent claim 1. As such, Applicant respectfully asserts that the independent claim 1 is not obvious in view of the cited reference of Reisman et al.,

25 and requests that the independent claim 1 be allowed.

Applicant notes herein that changing the number of filters from eight to four is not relevant to the limitations of claim 1. Thus, the cited statement of “[i]f four different directions were determined previously, it is therefore possible to generate

30 areas containing eight different directions and for these areas each to be filtered with a Gabor filter aligned to suit them” from the specification is not a relevant statement with respect to the obviousness of the independent claim 1 in view of Reisman et al.

II. Patentability of Dependent Claims 2-15

Each of the dependent claims 2-15 depends on the independent claim 1. As such, these dependent claims include all the limitations of the independent claim 1.

5 Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as the independent claim 1.

Applicant respectfully requests reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

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Respectfully submitted,

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